

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 18-43 are pending in this application. Claims 18, 20, 21, 23-29, and 31-35 are amended and Claims 36-43 are added by the present amendment. Support for amended Claims 18, 20, 21, 23-29, and 31-35 and added Claims 36-43 may be found in the disclosure as originally filed.¹ Thus, no new matter is added.

In the outstanding Office Action, Claim 35 was rejected under 35 U.S.C. § 112, second paragraph, as indefinite; Claims 18, 21, 22, and 32-35 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 5,036,248 to McEwan et al. (hereinafter “McEwan”) in view of U.S. Patent 4,245,882 to Chang; Claims 19, 22, and 27 were rejected under 35 U.S.C. § 103(a) as unpatentable over McEwan in view of Chang and U.S. Patent 6,974,229 to West et al. (hereinafter “West”); Claims 20, 21, 26, and 31 were rejected under 35 U.S.C. § 103(a) as unpatentable over McEwan and Chang in view of U.S. Patent Publication 2004/0114349 to Golle et al. (hereinafter “Golle”); Claim 23 was rejected under 35 U.S.C. § 103(a) as unpatentable over McEwan in view of Chang and U.S. Patent 5,854,872 to Tai; Claim 24 was rejected under 35 U.S.C. § 103(a) as unpatentable over McEwan in view of Chang and U.S. Patent 6,641,276 to Macher et al. (hereinafter “Macher”); Claim 25 was rejected under 35 U.S.C. § 103(a) as unpatentable over McEwan in view of Chang and West; Claim 28 was rejected under 35 U.S.C. § 103(a) as unpatentable over McEwan in view of Chang and JP 05-330381 to Central Glass; and Claims 29 and 30

¹ See, for example, page 2, lines 7-12; page 4, lines 24-30; page 6, lines 33-36; and page 7, line 25 to page 8, line 7 of the Specification and Claim 35.

were rejected under 35 U.S.C. § 103(a) as unpatentable over McEwan in view of Chang and U.S. Patent 5,223,814 to Suman.

In regard to the rejection of Claim 35 under 35 U.S.C. § 112, second paragraph, Applicants respectfully disagree that Claim 35 is indefinite. While Applicants have amended Claim 35 to recite a light density in accordance with amended Claim 18, power, as recited in original Claim 35 is an objective measure of a light source. A non-limiting embodiment of Applicants' invention includes a light source that is a coating arranged on a surface, the surface inherently having an area. Therefore, the phrase "power measured per unit area of coating," refers to the measurement of the power of light (i.e., the second power) being a measurement of a power of light that corresponds to a unit area of the coating, where the coating includes light emitting regions. Accordingly, Applicants respectfully request that the rejection of Claim 35 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Applicants respectfully traverse the rejection of Claims 18, 21, 22, and 32-35 under 35 U.S.C. § 103(a) as unpatentable over McEwan in view of Chang, with regard to amended Claims 18 and 32-34.

Amended Claim 18 is directed to a flat luminous element including, in part, at least one substrate, one flat coating arranged on the surface of the substrate, and a flat optical device. The flat coating includes a first electroluminescent region that emits a light having a first light density, and a second electroluminescent region that emits a light having a second light density. The flat optical device is configured to concentrate the light emitted by the second electroluminescent region into a tapered light beam. Independent Claims 32-34 and added independent Claim 43 include similar features directed to different scopes of invention.

McEwan describes a cluster of LEDs 20 set in a potting compound 28, and McEwan indicates that the LEDs 20 and the potting compound 28 are further set on a circuit board 22.² McEwan also indicates that the LEDs 20 are separately connected to the circuit board 22, and that the top domes of the LEDs 20 protrude from the potting compound to provide a light.³

McEwan fails to disclose LEDs 20 having different light densities. The outstanding Office Action states that column 2, lines 60-67 of McEwan discloses a second power, as recited in the previously presented Claim 18. However, the cited portion of McEwan merely states

compound 28 to provide light at the front opening of the housing 26.

The housing 26 may suitably be of circular section to receive a circular cluster of LEDs but other shapes are possible. An arrangement of circular clusters (FIG. 3) is especially useful for highway text displays where light bleed between pixels is of concern.

The housing 26 rests slidably in connector member 16 ...⁴

Therefore, Applicants respectfully submit that the cited passage of McEwan fails to disclose any light power. Furthermore, it is respectfully submitted that McEwan taken as a whole also fails to teach or suggest first and second light powers or densities. Thus, it is respectfully submitted that McEwan fails to teach or suggest a flat luminous element that includes “a first electroluminescent region of the flat coating that emits a light having a first light density, and a second electroluminescent region of the flat coating that emits a light having a second light density,” as recited in Claim 18, and as similarly required by Claims 32-34 and 43.

² McEwan at column 2, line 38, column 2 lines 56-58, and Figure 1.

³ McEwan at column 2, lines 39-43 and lines 59-61.

⁴ McEwan at column 2, lines 60-67.

Further, Applicants respectfully submit that Chang fails to cure the deficiencies of McEwan. Chang describes a process to form a complex holographic optical element 10 by joining two separate off-axis holograms 12 and 14.⁵ However, Chang fails to teach or suggest the claim features lacking in McEwan.

Accordingly, it is respectfully submitted that independent Claims 18 and 32-34, and all claims dependent thereon, patentably define over McEwan in view of Chang.

Thus, Applicants respectfully request that the rejection of Claims 18, 21, 22, and 32-35 under 35 U.S.C. § 103(a) as unpatentable over McEwan in view of Chang be withdrawn.

In addition, Applicants respectfully traverse the rejections of Claims 19, 20, and 23-31 under 35 U.S.C. § 103(a) as unpatentable over McEwan, Chang, West, Golle, Tai, Macher, Central Glass, and/or Suman. Claims 19, 20, and 23-31 depend from Claim 18, which is believed to patentably define over McEwan and Chang for at least the reasons discussed above. Further, Applicants respectfully submit that West, Golle, Tai, Macher, Central Glass, and Suman also fail to teach or suggest the claimed features lacking in the disclosure of McEwan and Chang.

Accordingly, Applicants respectfully request that the rejections of Claims 19, 20, and 23-31 under 35 U.S.C. § 103(a) as unpatentable over McEwan, Chang, West, Golle, Tai, Macher, Central Glass, and Suman also be withdrawn.

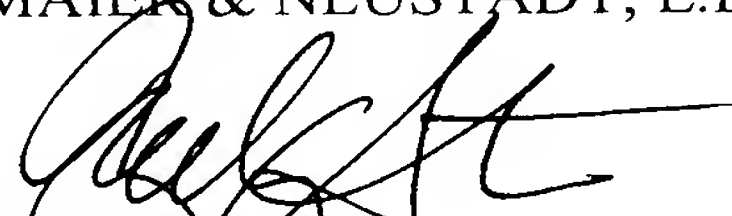
Therefore, Applicants respectfully submit that Claims 18, 32-34, and 43 and all claims depending therefrom are allowable.

⁵ Chang at column 2, lines 19-34; column 3, line 59 to column 4, line 14; and Figures 1a-1c.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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